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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/001,921

11/15/2001

Murray L. Finebaum

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8945

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EXAMINER

DASS, HARISH T

ART UNIT

PAPER NUMBER

3693

MAIL DATE

DELIVERY MODE

06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/001,921

Applicant(s)

FINEBAUM ET AL.

Examiner

Harish T. Dass

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-53 is/are pending in the application.
- 4a) Of the above claim(s) 1-39 and 43-53 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 40-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Acknowledgement - Examiner acknowledges the applicant election of Group IV (3/30/2007), in response to election/restriction requirement, with traverse.

Status of Claims:

Claims 1-39 and 43-53 are withdrawn.

Claims 40-42 are elected.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over McCausland et al. (hereinafter McCausland - US 5,243,331) in view of Jain et al. (hereinafter Jain US 6,343,278).

Re. Claim 40, McCausland discloses enabling a trader to submit an order completely anonymously [col. 1 lines 35-65 also see "primary dealers ... each other anonymously; col. 2 lines 5-20 "match a previous offer ..."], and matching buy orders to sell orders using a price/time priority [col. 2 lines 50-65]. McCausland does not explicitly disclose

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enabling a user to submit an order and control an amount of the order that is disclosed to other traders. However, Jain discloses enabling a user to submit an order and control an amount of the order that is disclosed to other traders [Figure 1; col. 1 lines 12-38; col. 11 lines 34-57 – see “amount actually available in the market may be only a fraction of what is shown on his display”].

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Mccausland and include enabling a user to submit an order and control an amount of the order that is disclosed to other traders, as disclosed by Jain to control the price of security and avoid having a negative impact on the market price of the security.

Re. Claim 41, Mccausland discloses wherein the plurality of different types of bond instruments include one or more of the following: high-yield bonds, corporate bonds, emerging market bonds, convertible bonds, derivative instruments comprised of bonds, and municipal bonds [col. 2 lines 50-65; col. 3 lines 7-20; col. 4 lines 16-22; see “government securities ... notes”; col. 22 lines 40 to col. 23 lines 10 “multi-order trader and automatic bid or offer”].

Re. Claim 42, McCausland discloses the order for the issue selected is displayed in a small window on the trader's page and change a price, the trader can tick the price up and down (updating), and reporting every executed trade to all users in a scrolling ticker continually updated in each user's graphical user interface (window), there being one

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scrolling ticker for each bond instrument type [see Figures 1-2 and associated descriptions].

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

US 6,380,954 (Gunther) discloses a user-interactive and computer-based page layout method for multiple objects that is user defined. An exemplary use of the invention is for the display of multiple service applications (child objects) in a container that are concurrently displayed on a single screen, and financial service information applications, where financial market quote data and other objects are concurrently displayed on one page wherein the content and layout cannot be modified, where these data objects can be any combination of objects that appear simultaneously on the display, which includes objects such as real-time quotes, tickers, charts, monitor lists, time and sales, dynamically updating market data displays covering equities, mutual funds, options, listed bonds, treasuries and futures.

US 5,809,483 (Broka et al.) discloses computerized bond trading system has been developed to gather quote and trade information from several bond traders and other users, and to organize and disseminate such information quickly and reliably.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass
Examiner
Art Unit 3693



6/6/07